



Order Filed on September 28, 2020

by Clerk
U.S. Bankruptcy Court
District of New Jersey

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY**

McMANIMON, SCOTLAND

& BAUMANN, LLC

75 Livingston Avenue, 2nd Floor

Roseland, New Jersey 07068

(973) 622-1800

Richard D. Trenk, Esq.

Joshua H. Raymond, Esq.

*Attorneys for Allstate New Jersey Insurance
Company and Related Entities*

In re:

STEPHEN J. CONTE, JR.,

Debtor.

Case No. 18-29278 (JKS)

Chapter 11

Hearing Date: September 15, 2020

Hearing Time: 10:00 a.m.

**ORDER TO COMPEL STEVEN CONTE, SR., DO AND OPEN MRI
AND IMAGING OF ROCHELLE PARK, P.A. TO COMPLY WITH AND RESPOND
TO RULE 2004/9014 SUBPOENAS AND DENYING MOTION TO QUASH SUBPOENAS**

The relief set forth on the following pages numbered two (2) through three (3), is hereby
ORDERED.

**DATED: September 28,
2020**

A handwritten signature in black ink, appearing to read "JK Sherwood".

Honorable John K. Sherwood
United States Bankruptcy Court

Debtor: Stephen J. Conte, Jr.
Case No.: 18-29278 (JKS)
Caption: Order to Compel Stephen Conte, Sr., DO and Open MRI and Imaging of Rochelle Park, P.A. to Comply with and Respond to Rule 2004/9014 Subpoenas and Denying Motion to Quash Subpoenas

THIS MATTER having been opened to the Court by Allstate New Jersey Insurance Company; Allstate Insurance Company; Allstate Indemnity Company; Allstate Property and Casualty Insurance Company; Allstate New Jersey Property and Casualty Insurance Company (collectively, “Allstate”), by and through their counsel, McManimon Scotland & Baumann, LLC, upon Motion for entry of an Order to compel Stephen Conte, Sr., DO (“Conte,.. Sr.”) and Open MRI and Imaging of Rochelle Park, P.A. (“Open MRI”) to comply with and respond to Rule 2004 Subpoenas (the “Subpoenas”) (the “Motion”); and Conte Sr. and Open MRI having filed a Motion to Quash the Subpoenas, by and through their attorneys Aboyoun Dobbs LLC, and the Court having heard oral argument on September 15, 2020 and good and sufficient notice of the Motion having been provided to Conte, Sr. and Open MRI; and for other good cause having been shown,

IT IS HEREBY:

ORDERED, that Allstate’s Motion is hereby granted in its entirety; and it is further

ORDERED, that Stephen Conte, Sr., DO and Open MRI shall furnish any and all documents requested in the Subpoenas on a rolling basis with an initial production to be made no later than October 5, 2020 at 4:00 p.m. and shall produce all available documents to (i) Allstate’s counsel McManimon, Scotland & Baumann, LLC, located at 75 Livingston Avenue, Suite 201, Roseland, New Jersey 07068, Attn: Joshua H. Raymond, Esq.; and (ii) the Chapter 11 Trustee’s counsel Cole Schotz, P.C. located at 25 Main Street, P.O Box 800, Hackensack, New Jersey 07602, Attn: Ryan T. Jareck, Esq.; and it is further

ORDERED, that no later than October 5, 2020, Stephen Conte, Sr., DO shall in writing provide Allstate’s counsel and the Chapter 11 Trustee’s counsel with dates when he will be

Debtor: Stephen J. Conte, Jr.
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available to appear to be deposed no later than October 30, 2020 at the offices of McManimon Scotland & Baumann, LLC, located at 75 Livingston Avenue, Suite 201, Roseland, New Jersey 07068¹, and it is further

ORDERED, that Conte Sr. and Open MRI's Motion to Quash Subpoenas are denied in their entirety; and it is further

ORDERED, that the discovery required herein shall be subject to the entry of a Discovery Confidentiality Order to be submitted by the parties on consent. To the extent the parties cannot agree by September 29, 2020, any party may submit a proposed form of order.

¹ To the extent necessary, the R. 2004 examinations shall be conducted through a virtual platform selected by Allstate; provided that the deponents shall **NOT** have access to any cell phone or other electronic chatroom or similar device or mode of communications while the depositions are ongoing or during breaks.

In re:
Stephen J. Conte, Jr.
Debtor(s)

Case No. 18-29278-JKS
Chapter 11

District/off: 0312-2
Date Rcvd: Sep 29, 2020

User: admin
Form ID: pdf903

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Total Noticed: 2

The following symbols are used throughout this certificate:

Symbol Definition

- + Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 01, 2020:

Recip ID	Recipient Name and Address
db	Stephen J. Conte, Jr., 395 North Farview Avenue, Paramus, NJ 07652
aty	+ Norgaard O'Boyle, 184 Grand Ave, Englewood, NJ 07631-3578

TOTAL: 2

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 01, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 29, 2020 at the address(es) listed below:

Name	Email Address
Brian Gregory Hannon	on behalf of Debtor Stephen J. Conte Jr. bhannon@norgaardfirm.com, sferreira@norgaardfirm.com;184grandno@gmail.com;kcimmino@norgaardfirm.com;crose@norgaardfirm.com;dtakach@norgaardfirm.com
Cassandra C. Norgaard	on behalf of Defendant Stephen J. Conte Jr. cnorgaard@norgaardfirm.com, sferreira@norgaardfirm.com;184grandno@gmail.com;kcimmino@norgaardfirm.com;dtakach@norgaardfirm.com
Denise E. Carlon	on behalf of Creditor Morgan Stanley Mortgage Loan Trust 2007-1XS U.S. Bank National Association, as Trustee, successor in interest to Bank of America, National Association, as Trustee, successor by merger to LaSalle Bank dcarlon@kmllawgroup.com, bkgroup@kmllawgroup.com
Denise E. Carlon	on behalf of Creditor US Bank National Association As Successor Trustee to Bank of America, National Association (Successor

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by Merger to Lasalle Bank National Association) As Trustee for Morgan Stanley Mortgage Loan Trust
dcarlon@kmllawgroup.com, bkgroup@kmllawgroup.com

Gavin Stewart

on behalf of Creditor Specialized Loan Servicing LLC, as servicing agent for Morgan Stanley Mortgage Loan Trust
bk@stewartlegalgroup.com

Jeffrey Thomas Testa

jtesta@mccarter.com J118@ecfcbis.com,lrestivo@mccarter.com,agreen@mccarter.com

Jerrold S. Kulback

on behalf of Debtor Stephen J. Conte Jr. jkulback@archerlaw.com, chansen@archerlaw.com

John O'Boyle

on behalf of Attorney Norgaard O'Boyle & Hannon joboyle@norgaardfirm.com,
sferreira@norgaardfirm.com;184grandno@gmail.com;kcimmino@norgaardfirm.com;crose@norgaardfirm.com

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on behalf of Defendant Stephen J. Conte Jr. joboyle@norgaardfirm.com,
sferreira@norgaardfirm.com;184grandno@gmail.com;kcimmino@norgaardfirm.com;crose@norgaardfirm.com

John O'Boyle

on behalf of Plaintiff Stephen J. Conte Jr. joboyle@norgaardfirm.com,
sferreira@norgaardfirm.com;184grandno@gmail.com;kcimmino@norgaardfirm.com;crose@norgaardfirm.com

John O'Boyle

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sferreira@norgaardfirm.com;184grandno@gmail.com;kcimmino@norgaardfirm.com;crose@norgaardfirm.com

Joshua H. Raymond

on behalf of Plaintiff Allstate New Jersey Insurance Company jraymond@msbnj.com

Joshua H. Raymond

on behalf of Plaintiff Allstate Property and Casualty Insurance Company jraymond@msbnj.com

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on behalf of Plaintiff Allstate Insurance Company jraymond@msbnj.com

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on behalf of Plaintiff Allstate New Jersey Property jraymond@msbnj.com

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on behalf of Plaintiff Allstate Indemnity Company jraymond@msbnj.com

Joshua H. Raymond

on behalf of Creditor Allstate Insurance Company jraymond@msbnj.com

Michael A. Artis

on behalf of U.S. Trustee U.S. Trustee michael.a.artis@usdoj.gov

Michael S. Horn

on behalf of Debtor Stephen J. Conte Jr. mhorn@archerlaw.com

Rebecca Ann Solarz

on behalf of Creditor Morgan Stanley Mortgage Loan Trust 2007-1XS U.S. Bank National Association, as Trustee, successor in interest to Bank of America, National Association, as Trustee, successor by merger to LaSalle Bank rsolarz@kmllawgroup.com

Richard D. Trenk

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on behalf of Plaintiff Allstate New Jersey Property rtrenk@msbnj.com cdeangelis@msbnj.com

Ryan T. Jareck

on behalf of Trustee Jeffrey Thomas Testa rjareck@coleschotz.com fpisano@coleschotz.com

Seth L. Dobbs

on behalf of Debtor Stephen J. Conte Jr. sdobbs@aboylaw.com, TJANNICELLI@ABOYOUNDOBBS.COM

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U.S. Trustee

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TOTAL: 30